

FORM PTO-1595  
(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

EET

U.S. Department of Commerce

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

STEVEN E. MASCHINO

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other

Execution Date: 10/27/05

2. Name and address of receiving party(ies):

Name **CYBERONICS, INC.**

Internal Address:

Street Address: **100 Cyberonics Blvd.**

City: HOUSTON State: TEXAS Zip: 77058

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: **October 28, 2005**

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **JAISON C. JOHN**  
**Williams, Morgan & Amerson, P.C.**  
**10333 Richmond, Suite 1100**

City: **Houston** State: **Texas** Zip: **77042**

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. 3.41)----- \$ **40.00**



Enclosed



Authorized to be charged to deposit account  
if check insufficient or inadvertently omitted

8. Deposit account number: \_\_\_\_\_

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

**Jaison C. John, Reg. 50,737**

Name of Person Signing, Reg. No.

Signature

Date

Total number of pages including cover sheet, attachments and documents: \_\_\_\_\_

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services, Director of the U.S. Patent and Trademark Office,  
P.O. Box 1450, Alexandria, VA 22313-1450

**CERTIFICATE OF EXPRESS MAILING  
UNDER 37 C.F.R. § 1.8**

EXPRESS MAIL NO.

EV 336 535 408 US

DATE OF DEPOSIT:

October 28, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as "EXPRESS MAIL" addressed to: MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

**PATENT**

**REEL: 017158 FRAME: 0916**

**ASSIGNMENT**

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do(es) hereby:

SELL, ASSIGN AND TRANSFER to CYBERONICS INC. (the "Assignee"), a corporation of Delaware, having a place of business at 100 Cyberonics Blvd. Houston, Texas 77058, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith and is entitled **Using Physiological Sensor Data with an Implantable Medical Device**, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

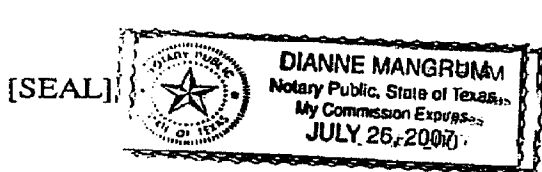
COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: Steven E. Maschino Date: 10/27/05  
Steven E. Maschino

STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this 27th day of October, 2005, personally appeared Steven E. Maschino, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



Dianne Mangrum  
Notary or Consular Officer